

Appl. No. : 09/762,131
Filed : January 31, 2001

IN THE CLAIMS:

Please amend claim 5 as follows:

5. **(Amended)** The method according to Claim 3, wherein the administration of the substance is initiated when the number of platelets in the candidate does not decrease.

REMARKS

The specification has been amended to correct a minor informality and the Title of the Invention has been amended to define the presently claimed invention. and claim 5 has been amended. Support for this amendment can be found in the specification as filed in Example 2 on pages 11-12 and within Figure 2. Thus, no new matter has been added herewith.

The following remarks address the substance of the Office Action:

I. Objection to the Title of the Invention

The Examiner requires the Applicants to restrict the Title of the Invention to the claimed invention. Applicants have amended the Title of the Invention to better describe the presently claimed invention.

II. Description of the claimed invention

The Examiner has rejected claim 5 under 35 U.S.C. § 112, first paragraph on the assertion that the phrase "wherein the administration of the substance is initiated when the candidate's immune response to platelet begins" does not have sufficient direction for the written description and introduce new concepts.

Amended claim 5 states that "wherein the administration of the substance is initiated when the number of platelets in the candidate does not decrease," which is supported in the filed specification within Example 2 on pages 11 and 12 and depicted in Figure 2. Thus, amended claim 5 clarifies when in the candidate's treatment the substance is administered (targeted). Accordingly, Applicants respectfully request withdrawal of the rejection to claim 5 under 35 U.S.C. § 112, first paragraph.

III. Matters of definiteness

The Examiner has rejected claim 5 under 35 U.S.C. § 112, second paragraph on the assertion that the phrase "wherein the administration of the substance is initiated when the candidate's immune response to platelet begins" is indefinite. As stated above, amended claim 5 requires administration of the substance "...when the number of platelets in the candidate does not decrease." Applicants submit amended claim 5 is definite in what stage of the disease the substance should be administered to a candidate and therefore respectfully request withdrawal of the rejection to the claim under 35 U.S.C. § 112, second paragraph.